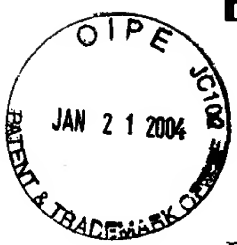


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RCE/1600

30 ROCKEFELLER PLAZA AUSTIN
 44TH FLOOR BAKU
 NEW YORK, NEW YORK DALLAS
 10112-4498 HOUSTON
 212.408.2500 LONDON
 FAX 212.408.2501 NEW YORK
 RIYADH
 WASHINGTON

BAKER BOTTS LLP



REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Application Number: 09/173,821
 First Named Inventor: Rudland et al.
 Group Art Unit: 1633
 Examiner Name: Kaushal, S.
 Customer Service No.: 21003
 Attorney Docket No.: A32040-PCT-USA A
 (72876.0102)
 Total Pages: 2

EXPRESS MAIL LABEL NO. EK 589 237 260 US

January 21, 2004

Mail Stop Box RCE
 Commissioner of Patents
 Alexandria, VA 22313-1450

Sir:

RECEIVED
 JAN 27 2004
 TECH CENTER 1600/2900

This is a Request for Continued Examination (RCE) of prior application No. 09/173,821 filed on October 6, 1998, entitled "CONDITIONALLY IMMORTALISED CELL LINES DERIVED FROM TRANSGENIC ANIMALS".

Submission Required under 37 C.F.R. § 1.114:

- ☐ Enter the unentered amendment previously filed on December 31, 2003 under 37 C.F.R. § 1.116 in the prior nonprovisional application, a courtesy copy of which is enclosed herewith.
- ☒ A response is enclosed.
- ☐ Affidavit(s)/Declaration(s) enclosed.
- ☐ Information Disclosure Statement (IDS) is enclosed (3 p.).
 - ☐ PTO-1449 (1 p.)
 - ☐ Copies of IDS Citations (50 p.)
- ☐ Other _____
- ☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of three months. (*Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) is required.*)

The term for response or taking action in the prior application expires on January 21, 2004.

- ☒ An Extension of Time to respond to the PTO communication dated July 21, 2003 is hereby requested under 37 C.F.R. § 1.136(a).

01/23/2004 CNGUYEN 00000053 09173821
 01 FC:1801 770.00 OP
 02 FC:1253 950.00 OP

BAKER BOTTS LLPFEE CALCULATION:

[X] The fee for an extension of time to respond (37 C.F.R. § 1.17(1)-(5)) is calculated as shown below:

	<u>Extension (months)</u>	<u>Fee for small entity</u>	<u>Other Than A Small Entity Rate Fee</u>
[]	one month	\$55.00	\$110.00
[]	two months	\$205.00	\$410.00
[X]	three months	\$475.00	\$950.00

(check and complete the next item, if applicable)

[X] An extension for 3 month was requested in an amendment filed in the U.S. Patent and Trademark Office on December 31, 2003, in which the Office was authorized to charge Deposit Account 02-4377 in the amount of \$950.00. Thus, applicant believes that the extension of time fee should have already been paid. A copy of this amendment is enclosed.

However, the Office reports that they have no record of receiving the December 31, 2003 amendment. Thus, in order to ensure that the extension of time fee is paid, applicant will again pay the extension of time fee. In the event that the Office located/locates the December 31, 2003 amendment and authorized/authorizes the fee to be charged to the deposit account, applicant requests a refund of the duplicate charge of the extension of time fee.

FEE PAYMENT BEING MADE:

[X]	Extension of time fee (from above)	\$950.00
[]	Claim amendment fee (from above)	\$0.00
[]	RCE filing fee –small entity: \$385.00 (37 C.F.R. § 1.17(e))	\$0.00
[X]	RCE filing fee –other than small entity: \$770.00 (37 C.F.R. § 1.17(e))	\$770.00
[]	Suspension of action fee: \$130.00 (37 C.F.R. § 1.17(i))	<u>\$0.00</u>
TOTAL FEE DUE:		\$1720.00

[X] A check in the amount of \$1720.00 is enclosed.

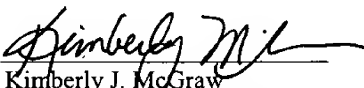
[] The Commissioner is hereby authorized to charge \$ to Deposit Account No. 02-4377. Duplicate copies of this sheet are enclosed.

[X] The Commissioner is hereby authorized to charge payment of any additional fees required in connection with the submission of this communication, including any fees under 37 C.F.R. §§ 1.16, 1.17, or 1.21(h), and to credit any over payments, to Deposit Account No. 02-4377. Duplicate copies of this sheet are enclosed.

Respectfully submitted,

BAKER BOTTS L.L.P.

By:


Kimberly J. McGraw
PTO Registration No. 50,994

30 Rockefeller Plaza
New York, NY 10012-4498
212-408-2502

Attorneys for Applicants



A32040-PCT-USA-A - 072876.0102
**AFTER FINAL
PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rudland et al.
Serial No.: 09/173,821 Examiner: Kaushal, S.
Filed: October 6, 1998 Group Art Unit: 1633
For: **CONDITIONALLY IMMORTALISED CELL LINES DERIVED FROM
TRANSGENIC ANIMALS**

AMENDMENT

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions for an extension of time to respond to the Office Action dated July 21, 2003 and requests the Examiner to reconsider the outstanding rejections in view of the following amendments and remarks. A Request for Continued Examination is filed concurrently herewith. **Amendments to the Claims** are reflected in the listing of the claims that begins on page 2. **Remarks** begin on page 6.

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